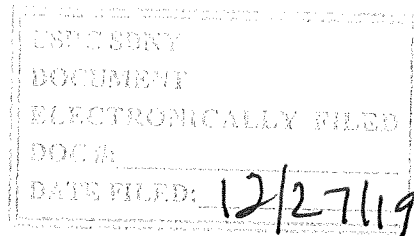


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
BOARD OF TRUSTEES OF THE :
TEAMSTERS LOCAL 445 :
CONSTRUCTION DIVISION HEALTH :
AND WELFARE FUND; TEAMSTERS :
LOCAL 445 CONSTRUCTION DIVISION :
PENSION FUND; TEAMSTERS LOCAL :
445 CONSTRUCTION ANNUITY FUND; :
and TEAMSTERS LOCAL 445 :
EDUCATION AND TRAINING FUND, :
Plaintiffs, :

v. :

CARDONA AND SONS, INCORPORATED :
d/b/a CARDONA & SONS, INC., :
Defendant. :
-----X

ORDER

19 CV 10829 (VB)

On November 22, 2019, plaintiffs Board of Trustees of the Teamsters Local 445 Construction Division Health and Welfare Fund, Teamsters Local 445 Construction Division Pension Fund, Teamsters Local 445 Construction Annuity Fund, and Teamsters Local 445 Education and Training Fund commenced the instant action against defendant Cardona and Sons, Incorporated d/b/a Cardona & Sons, Inc. (Doc. #1).

On December 3, 2019, plaintiffs docketed a proof of service, indicating service on defendant on November 26, 2019. (Doc. #7). Defendant had until December 17, 2019, to respond to the complaint.

To date, defendant has not answered, moved, or otherwise responded to the complaint.

Accordingly, provided that defendant remains in default, plaintiffs are ORDERED to seek a certificate of default as to defendant by January 10, 2020, and thereafter to move for default judgment by January 24, 2020. **If plaintiffs fail to satisfy either deadline, the Court may dismiss the case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).**

Dated: December 27, 2019
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge